

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

PHILLIP SULLIVAN, JR., on behalf of himself
and all others similarly situated,

Plaintiff,

v.

LIFE TIME, INC.,

Defendant.

Case No. 1:18-cv-07404-KPF

**STIPULATION AND
ORDER DISMISSING
ACTION WITH PREJUDICE**

WHEREAS, Plaintiff Phillip Sullivan Jr. ("Plaintiff") commenced the above-captioned action (the "Action"), alleging that Defendant Life Time, Inc.'s ("Defendant") website, www.lifetime.life (the "Website"), was not fully accessible to deaf and hearing impaired persons, in violation of Title III of the Americans with Disabilities Act of 1990 (the "ADA") and state and local law (collectively the "ADA Laws");

AND WHEREAS, Defendant has represented to Plaintiff that the Website is fully accessible to deaf and hearing impaired persons and otherwise complies with the ADA Laws;

AND WHEREAS, Defendant has provided Plaintiff with discovery sufficient to establish the Website's compliance with the ADA Laws;

NOW THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiff and Defendant, by and through their respective undersigned counsel, that the Action shall be, and hereby is, dismissed in its entirety with prejudice and without an award of costs and/or attorney's fees to any party as against any other party.


DATED: January 17, 2020



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DATED: January 17, 2020



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ORDER

Upon the stipulation of the parties and good cause appearing therefore, the Court hereby ORDERS that the above-captioned action, No. 1:18-cv-07404-KPF, is dismissed in its entirety with prejudice and without an award of costs and/or attorney's fees to any party as against any other party.

IT IS SO ORDERED.

Dated: January 17, 2020

A handwritten signature in blue ink, reading "Katherine Polk Failla", is written over a horizontal line.

Hon. Katherine Polk Failla, U.S.D.J.